

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ROBERT WHITE,

Petitioner,

v.

**Civil Action No.
05-40104-FDS**

**UNITED STATES BANKRUPTCY COURT)
FOR THE DISTRICT OF)
MASSACHUSETTS, THE HONORABLE)
HENRY J. BOROFF, UNITED STATES)
MARSHAL FOR THE DISTRICT OF)
MASSACHUSETTS, and LOCAL OR)
FEDERAL JAIL OR PRISON WHERE)
PETITIONER IS HELD,)**

Respondents.

ORDER OF DISMISSAL

SAYLOR, J.

This is a matter brought under 28 U.S.C. § 2254 seeking habeas corpus relief. Petitioner Robert White, proceeding *pro se*, alleges that his imprisonment for civil contempt for violating an order of the United States Bankruptcy Court is illegal and violates his constitutional rights.

The petition was filed on June 28, 2005. On August 10, 2005, respondents the United States Bankruptcy Court, the Honorable Henry J. Boroff, and the United States Marshal gave notice that petitioner had been released after complying with the Bankruptcy Court order and the matter was now moot. Petitioner has not filed any opposition.

The Court agrees that, because the petitioner has been released from custody, the matter is now moot, and that accordingly it no longer has the constitutional power to decide the matter.

The petition is therefore DISMISSED.

So Ordered.

/s/ F. Dennis Saylor
F. Dennis Saylor IV
United States District Judge

Dated: December 29, 2005